

**BEFORE THE MINNESOTA
EMERGENCY MEDICAL SERVICES REGULATORY BOARD**

In the Matter of
Cary Larsen, EMT-P
Certificate No.: 200387

**STIPULATION
AND ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between Cary Larsen, EMT-P ("Respondent") and the Complaint Review Committee ("Committee") of the Emergency Medical Services Regulatory Board ("Board") as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a certificate in the State of Minnesota.
2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Although aware of his right to representation by counsel, Respondent has knowingly and expressly waived that right. The Committee was represented by Rosellen Condon, Assistant Attorney General.

FACTS

3. For the purpose of this stipulation, the Board may consider the following facts as true:
 - a. On May 5, 2000, Respondent tested positive for THC (marijuana) metabolite while employed as an EMT-P at Allina Medical Transportation.
 - b. On February 20, 2002, Respondent appeared before the Complaint Review Committee and agreed to participate in the Health Professionals Services Program ("HPSP") for a chemical dependency evaluation.

c. On February 27, 2002, Respondent enrolled in HPSP and signed a Participation Agreement on April 1, 2002 in which Respondent agreed, among other things, to abstain from use of alcohol or any other mood-altering chemicals and to submit to a minimum of 12 unscheduled bodily fluids screens per quarter at the request of HPSP.

d. On December 15, 2003, Respondent tested positive for codeine/morphine and methamphetamine.

e. On December 19, 2003, HPSP's monitoring plan was revised to require Respondent to refrain from practice until authorized to return to practice by HPSP and to have a chemical dependency evaluation by January 3, 2004.

f. Respondent had a chemical dependency assessment at Fairview Recovery services on January 13 2004. The evaluator recommended that HPSP increase the frequency of monitoring and extend the duration of monitoring by 6 months and that Respondent attend a Learn III Program which is designed for people who are at high risk or in the early stages of chemical dependency.

g. Respondent successfully completed the Learn III Program and was discharged on February 26, 2004.

h. On March 4, 2004, HPSP extended Respondent's monitoring plan for eighteen months and required him to document participation in weekly Alanon meetings.

i. On April 19, 2004, Respondent met with the Complaint Review Committee to discuss these matters. As a result of the meeting, the Committee decided that the matter could be resolved by this Stipulation and Order.

STATUTES

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 144E.28, subd. 4, and subd. 5. Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

REMEDY

5. Upon this Stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that until further order of the Board, made after notice and hearing upon application by Respondent or the Board's own motion, the Board may make and enter an order **CONDITIONING** and **RESTRICTING** Respondent's certification as an EMT-P to practice in the State of Minnesota as follows:

- a. Respondent shall continue to participate in Health Professional Services Program ("HPSP") for the duration of the Monitoring Plan.
- b. At least once per week, Respondent shall attend meetings of a self-help program such as AA or NA in support of abstinence. Respondent shall cause his designated sponsor(s) to submit quarterly reports to the Board regarding attendance and participation.
- c. This Stipulation and Order shall remain in effect for the duration of the HPSP plan. At the end of this period, Respondent may petition for reinstatement of an unconditional certificate. Upon hearing the petition, the Board may continue, modify, or remove the conditions set out herein.

6. Respondent shall comply with the laws and rules of the Board. Respondent agrees that failure to comply with the Board's laws and rules shall be a violation of this stipulation and order.

7. Respondent shall fully and promptly cooperate with the Board's reasonable requests concerning compliance with this stipulation and order, including requests for explanations, documents, office inspections, and/or appearances at conferences. Minn. Stat. § 144E.30, subd. 3 applies to such requests.

8. Within seven days of any change, Respondent shall provide the Board with his current address and telephone information. The information shall be sent to Mary Hedges at the Emergency Medical Services Regulatory Board, University Park Plaza, 2829 University Avenue S.E., Suite 310, Minneapolis, Minnesota 55414-3222.

9. In the event Respondent resides or practices outside the State of Minnesota, Respondent shall promptly notify the Board in writing of the location of his residence and all work sites. Periods of residency or practice outside of Minnesota will not be credited toward any period of Respondent's suspended, limited, or conditional certificate in Minnesota unless Respondent demonstrates that practice in another state conforms completely with Respondent's Minnesota certification.

10. This stipulation, related investigative reports, and other documents shall constitute the entire record of the proceeding upon which this order is based. The investigative reports, other documents, or summaries thereof, may be filed with the Board with the stipulation. Any reports or other material related to this matter which are received after the date the Board

approves the stipulation and order shall become a part of the record and may be considered by the Board in future aspects of this proceeding.

11. In the event the Board in its discretion does not approve this settlement, this stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon, introduced in any disciplinary action by either party hereto, except that Respondent agrees that if the Board rejects this stipulation and this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this stipulation or of any records relating hereto.

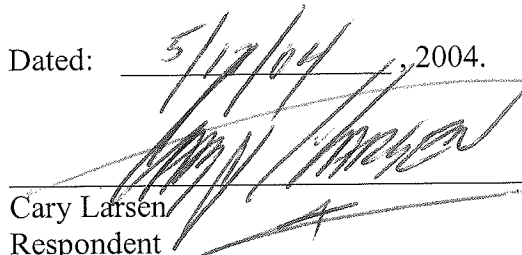
12. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States Constitutions, statutes, or rules and agrees that the order to be entered pursuant to the stipulation shall be the final order herein.

13. Respondent hereby acknowledges that he has read and understands this stipulation and has voluntarily entered into the stipulation without threat or promise by the Board or any of its members, employees, or agents. This stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this stipulation.

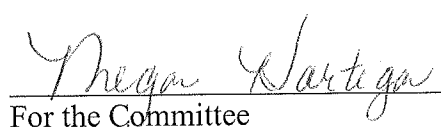
14. Under the Minnesota Government Data Practices Act, this stipulation and order is classified as public data. Minn. Stat. § 13.41, subd. 4. All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minn. Stat. ch. 13. They shall not, if they are not already public documents, become public merely because they are referenced herein. Pursuant to federal rule (45 C.F.R.

part 60), the Board must report the disciplinary action contained in this Stipulation and Order to the National Practitioner Data Bank.

Dated: 5/17/04, 2004.


Cary Larsen
Respondent

Dated: 5-25-04, 2004.


For the Committee


ORDER

Upon consideration of this stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the terms of this stipulation are adopted and implemented by the Board this 27th day of May, 2004.

MINNESOTA EMERGENCY MEDICAL
SERVICES REGULATORY BOARD

By:


MARY HEDGES
Executive Director